



## REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

117 South Main Street, Dayton, Ohio 45422-1280

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www.rapca.org

August 21, 2007

**Certified Mail**

Brian M. Madden

B & B Properties, LLC

66 Pearl Road

Brunswick, OH 44212

RE: Ohio EPA Premises No. 16-52-01-0051  
Emissions Unit P901-Tub Grinder

### WARNING LETTER

Dear Mr. Madden:

On August 6, 2007, the Akron Regional Air Quality Management District (ARAQMD) received a *Notice of Intent to Relocate a Portable Source* via facsimile regarding the relocation of emissions unit P901, Tub Grinder, from Richland County Composite in Mansfield, Ohio to Tri-State Pallet in Springfield, Ohio. This *Notice of Intent to Relocate a Portable Source* was then forwarded to the Regional Air Pollution Control Agency (RAPCA) on August 6, 2007. The expected start-up date provided on the *Notice of Intent to Relocate a Portable Source* for emissions unit P901, at the Springfield, Ohio site, was August 6, 2007. On August 7, 2007, a RAPCA representative performed an on-site inspection of the Springfield, Ohio site. During this inspection, RAPCA observed emissions unit P901 operating in violation of the Permit to Operate (PTO) issued on July 12, 2006 for this emissions unit.

Pursuant to Ohio Administrative Code (OAC) rule 3745-31-03(A)(1)(p), B & B Properties, LLC was required to complete and submit the *Notice of Intent to Relocate a Portable Source* to ARAQMD thirty (30) days prior to the scheduled relocation of emissions unit P901. B & B Properties, LLC relocated this emissions unit in violation of OAC rule 3745-31-03(A)(1)(p), due to the fact that the *Notice of Intent to Relocate a Portable Source* for emissions unit P901 was not submitted at least 30 days prior to relocating this source.

The PTO issued on July 12, 2006 for emissions unit P901 states that there shall be no visible particulate emissions from the tub grinder, the processed mulch pile(s), conveyor transfer point(s), and the loading and unloading activities associated with the tub grinder. During the August 7, 2007 inspection of emissions unit P901 at the Springfield, Ohio location, RAPCA performed US EPA Reference Method 22 and observed fifteen (15) minutes of visible particulate emissions in a 15 minute observation period. The exceedance of the "no visible emissions"

B & B Properties, LLC  
August 21, 2007  
Page 2

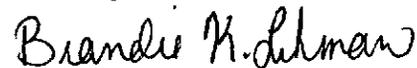
requirement for emissions unit P901 is a violation of OAC rule 3745-31-05(A)(3) and the PTO for this emissions unit. In addition, RAPCA performed US EPA Reference Method 9 on the tub grinder and observed numerous three-minute average opacity readings greater than twenty percent. Opacity readings greater than twenty percent as a three-minute average are violations of OAC rule 3745-17-07(B)(1) which states that visible particulate emissions from any fugitive dust source shall not exceed twenty percent opacity as a three-minute average.

In addition, the PTO issued for emissions unit P901 states that the permittee shall employ best available control measures for the tub grinder, the processed mulch pile(s), conveyor transfer point(s), and the loading and unloading activities associated with the tub grinder for the purpose of ensuring compliance with the "no visible emissions" requirement. The permittee shall employ water on an "as needed" basis to ensure compliance. Also, OAC rule 3745-17-08(B) states that no person shall cause or permit any fugitive dust source to be operated or any materials to be handled, transported, or stored without taking or installing reasonably available control measures to prevent fugitive dust from becoming airborne. During the August 7, 2007 RAPCA inspection, no employment of water to maintain compliance with the "no visible emissions" requirement was being performed. The fact that no water was being employed to maintain compliance with the "no visible emissions" requirement is a violation of the PTO issued on July 12, 2006 for emissions unit P901 and OAC rule 3745-17-08(B).

RAPCA is requesting that B & B Properties, LLC submit a compliance plan within 30 days after receipt of this letter. This compliance plan shall include measures to be taken by B & B Properties, LLC to ensure compliance with OAC rules 3745-31-03(A)(1)(p), 3745-31-05(A)(3), 3745-17-07(B)(1) and 3745-17-08(B) and all terms and conditions provided in the PTO issued on July 12, 2006, for emissions unit P901. The compliance plan submitted by B & B Properties, LLC shall be submitted to both RAPCA and ARAQMD.

RAPCA appreciates your prompt attention and cooperation in this matter. If you have any questions regarding this letter, feel free to contact me at 937-225-5923.

Sincerely,



Brandie K. Lehman  
Air Pollution Control Specialist

cc: Jeff Canan, RAPCA  
Lisa Holscher, USEPA  
Tom Kalman, OEPA  
Laura Miracle, ARAQMD

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <i>Brian Madden</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>B Madden</i> C. Date of Delivery <i>02/07</i></p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>BRIAN M. MADDEN B&amp;B PROPERTIES LLC 66 PEARL RD BRUNSWICK, OH 44212</p> </div>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7004 1160 0000 6164 7148</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

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<p>PS Form 3811, June 2002 See Reverse for Instructions</p>	

